

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 3028

Introduced by Assembly Member Laird

February 24, 2006

~~An act to amend Section 507 of the Public Resources Code, relating to parks and recreation. An act to add Section 31410 to the Public Resources Code, relating to coastal resources.~~

LEGISLATIVE COUNSEL'S DIGEST

AB 3028, as amended, Laird. ~~Parks and recreation.~~ *California Coastal Trail.*

Existing law requires the State Coastal Conservancy, in consultation with the Department of Parks and Recreation and the California Coastal Commission, to coordinate the development of the California Coastal Trail. Existing law requires each agency, board, department, or commission of the state with property interests or regulatory authority in coastal areas, to the extent feasible, and consistent with their individual mandate, to cooperate with the conservancy with respect to planning and making lands available for completion of the trail.

This bill would authorize a state agency providing funding for or issuing a permit for a development project undertaken by a public agency that is located near the California Coastal Trail, as specified, to condition the funding or the issuance of the permit upon the public agency accommodating development of the California Coastal Trail or providing public access from the trail to the coast.

~~Existing law establishes the Department of Parks and Recreation in the Resources Agency, to be conducted under the control of the~~

~~Director of Parks and Recreation. Existing law requires there to be one Deputy Director of Parks and Recreation who is a civil executive officer and is appointed by the Governor and serves at the Governor's pleasure. Existing law requires the director to fix the deputy director's compensation pursuant to law. Existing law requires the deputy director to have those duties assigned by the director and to be responsible to the director for the performance of those duties.~~

~~This bill would provide for the establishment of one Chief Deputy Director of Parks and Recreation under the same terms and conditions that apply to the deputy director.~~

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 *SECTION 1. The Legislature finds and declares all of the*
- 2 *following:*
- 3 *(a) The California Coastal Act of 1976 required local*
- 4 *jurisdictions to identify an alignment for the California Coastal*
- 5 *Trail in their local coastal plans to be, ideally, continuous and*
- 6 *located along the shoreline.*
- 7 *(b) In 1999, the Governor designated the California Coastal*
- 8 *Trail as California's Millennium Legacy Trail.*
- 9 *(c) In 1999, the White House Millennium Trail Council*
- 10 *encouraged federal agencies to assist in the development of the*
- 11 *California Coastal Trail.*
- 12 *(d) ACR 20 of the 2001–02 Regular Session of the Legislature*
- 13 *declared the California Coastal Trail to be an official state trail*
- 14 *and urged the State Coastal Conservancy and the Coastal*
- 15 *Commission to work collaboratively to complete the trail.*
- 16 *(e) SB 908 of the 2001–02 Regular Session of the Legislature*
- 17 *(SB 908) required the State Coastal Conservancy, in consultation*
- 18 *with the Department of Parks and Recreation and the California*
- 19 *Coastal Commission, to coordinate the development of the*
- 20 *California Coastal Trail.*
- 21 *(f) SB 908 authorized the State Coastal Conservancy to award*
- 22 *grants and provide assistance to public agencies and nonprofit*
- 23 *organizations to establish and expand inland trail systems that*
- 24 *may be linked to the California Coastal Trail.*

1 (g) SB 908 directed state entities with property interests or
2 regulatory authority in coastal areas, to the extent feasible, and
3 consistent with their individual mandate, to cooperate with the
4 State Coastal Conservancy with respect to planning and making
5 lands available for completion of the California Coastal Trail.

6 (h) SB 908 directed that the California Coastal Trail be
7 developed in a manner that demonstrates respect for property
8 rights, nearby residential uses, and consideration for the
9 protection of the privacy of adjacent property owners.

10 SEC. 2. Section 31410 is added to the Public Resources
11 Code, to read:

12 31410. (a) A state agency providing funding for or issuing a
13 permit for a project described in subdivision (c) may condition
14 the funding or the issuance of the permit upon the public agency
15 accommodating development of the California Coastal Trail or
16 providing public access from the trail to the coast.

17 (b) This section shall not apply under any of the following
18 conditions:

19 (1) The project is exempt from coastal development permit
20 requirements.

21 (2) The project does not qualify as a new development project
22 for the purposes of Section 30212.

23 (3) The state agency providing funding or issuing the permit
24 has determined that a superior alternative exists for the
25 uncompleted California Coastal Trail or access to the coast.

26 (4) The public agency would be required to invoke eminent
27 domain for the purposes of this section.

28 (c) For the purposes of this section, "project" means a
29 development project undertaken by a public agency that is
30 located adjacent to or along an uncompleted portion of the
31 California Coastal Trail, that could provide public access to the
32 trail, or that could provide public access from the trail to the
33 coast.

34 ~~SECTION 1. Section 507 of the Public Resources Code is~~
35 ~~amended to read:~~

36 ~~507. (a) There shall be one Chief Deputy Director of Parks~~
37 ~~and Recreation who shall be a civil executive officer and shall be~~
38 ~~appointed by the Governor and serve at the pleasure of the~~
39 ~~Governor. The compensation of the chief deputy director shall be~~
40 ~~fixed by the director pursuant to law. The chief deputy director~~

1 shall have the duties as shall be assigned, from time to time, by
2 the director, and he or she shall be responsible to the director for
3 the performance of the duties.
4 (b) There shall be one Deputy Director of Parks and
5 Recreation who shall be a civil executive officer and shall be
6 appointed by the Governor and serve at the pleasure of the
7 Governor. The compensation of the deputy director shall be fixed
8 by the director pursuant to law. The deputy director shall have
9 the duties as shall be assigned, from time to time, by the director,
10 and he or she shall be responsible to the director for the
11 performance of the duties.